

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

LIGTEL COMMUNICATIONS, INC.,

Plaintiff,

v.

Case No. 1:20-cv-00037-HAB-SLC

BAICELLS TECHNOLOGIES INC.;  
BAICELLS TECHNOLOGIES NORTH  
AMERICA, INC.,

Defendants.

**DECLARATION OF RONALD MAO**

I, Ronald Mao, declare the following:

1. I am a citizen of the United States of America, domiciled in the State of California.
2. I hold a Bachelor's degree in Mechanical Engineering from Beijing University of Aeronautics & Astronautics, and a Master of Science degree in Computer Science from DePaul University.
3. I am employed as the Director of Carrier Solutions for Baicells Technologies North America Inc. ("Baicells"), and have been so employed from January 2018 through the present.
4. I have read the Complaint, Declaration of Randy Mead dated January 20, 2020, and Declaration of Josh Wentworth dated January 20, 2020.
5. On July 29, 2019, I attended and participated in a meeting at LigTel's office in Ligonier, Indiana.

6. Bo Wei, President and Chief Executive Officer, Rick Harnish, Chief Marketing Officer, and I attended this meeting on behalf of Baicells.

7. Randy Mead, Chief Executive Officer and General Manager, Josh Wentworth, Network Operations Supervisor, and Mike Troup, Network Operations Manager and Marketing, attended the meeting on behalf of LigTel.

8. Without prior notice to Baicells, LigTel's outside counsel also participated in the meeting.

9. LigTel's outside counsel led the discussion during this meeting.

10. I took minutes of this meeting and sent those minutes by e-mail that same day to Wei and Harnish. A true and correct copy of the minutes I took, together with Harnish's response to me, is attached to this Declaration as Exhibit 1 (BAICELLS-00035337-38).

11. Prior to my employment with Baicells, I worked for Huawei Technologies USA as Product Manager from November 2005 until June 2017. Prior to that employment, I worked for Ericsson, Onix Microsystems, and Lucent Technologies in various roles.

12. During the 2015-2016 timeframe, I was assigned by Huawei Technologies USA to serve LigTel in a sales support role. LigTel was one of many accounts that I served in a similar role.

13. By that time, LigTel had already purchased and installed certain equipment from Huawei. I was not involved in the design, configuration, sales, or installation of any equipment that LigTel purchased from Huawei.

14. During my employment with Huawei Technologies USA, I never visited any of LigTel's facilities, locations, or sites, nor did I see any of its equipment, network, or operations.

15. On one occasion, in April 2017, I met in person with Wentworth at a user group conference in Plano, Texas. I had a mostly personal conversation with Wentworth during that conference. I had no other in-person meetings with anyone associated with LigTel.

16. My role with LigTel was limited to occasional communications with LigTel during what I considered to be a “maintenance mode.” I did not sell any equipment to LigTel.

17. During my employment with Huawei Technologies USA, I did not have access to LigTel’s encryption code, IP infrastructure (either physical or logical), software, or systems.

18. I did have some general knowledge of LigTel’s tower locations, radio frequency information, and wireless coverage areas.

19. LigTel representatives told me that some part of their network was at capacity, and that they were seeking ways to improve capacity. I offered to Wentworth for Huawei to conduct a radio frequency analysis to identify bottlenecks. I did not receive a response to that offer and do not know whether LigTel had such an analysis conducted.

20. My employment with Huawei Technologies USA terminated in June 2017 due to a reduction in force. At that time, I left my laptop computer and all work-related documents and information with Huawei, and did not retain copies of such documents and information.

21. I do have some memory of my communications with LigTel. I summarized the full extent of my memory (which I referred to as “my old notes”) in an email dated July 11, 2019 from me to certain Baicells co-workers. A true and correct copy of this email is attached to this Declaration as Exhibit 2 (BAICELLS-00007858-59). I have no written notes or other materials from my interactions with LigTel.

22. The Federal Communications Commission regulates and issues licenses to carriers such as LigTel. Information about each such licensee is available at

<https://wireless2.fcc.gov/UlsApp/UlsSearch/searchLicense.jsp>. This information includes the name and contact information of the licensee, ownership disclosure filings, and direct and indirect ownership interests in the FCC regulated business. For each license, this information includes radio service frequencies (MHz), associated frequencies (MHz), call signs, spectrum and market area (including downloadable maps), license grant date, license effective date, license expiration date, radio service type, regulatory status, and special conditions attached to any license. This information also includes details of each site maintained by the carrier, including the location of each (by city, state, latitude and longitude). For each location, this information includes details of the carrier's transmitters located thereon, such as support structure type, elevation and overall height. It includes details about the manufacturer, model number, beamwidth, azimuth, polarization, gain, center line, and elevation of antennae. It contains details of equipment such as FCC ID number, EIRP (Equivalent Isotropically Radiated Power) (dBm), transmission designator, transmission method and protocol description, lower/center frequency, upper frequency, and modulation scheme of equipment. It also contains frequency for IRAC (Interdepartment Radio Advisory Committee) interference coordination. This information also includes path summaries and details, including build out dates, transmit location, receiver location (and the coordinates, elevation, polarization, azimuth, and elevation angle of each), the manufacturer and model number of transmit and receiver antennae (and height, beamwidth, and gain (dBi) of each), the path frequencies, tolerance, EIRP, ATPC (Automatic Transmit Power Control), emission designators, and the manufacturer and model number of each transmitter. The FCC authorizations issued to carriers such as LigTel are also publicly available on this website. Those authorizations include additional information such as construction dates for each authorized location.

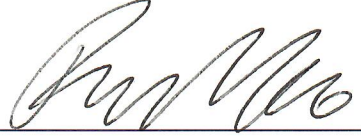
23. Since the termination of my employment with Huawei Technologies USA, I have not had possession of or access to any documents or information that LigTel alleges to be its confidential or trade secret information including, but not limited to: LigTel's encryption code; network architecture, design, and engineering; or the operational layout of LigTel's equipment, core, and servers.

24. The full extent of my memory, recollection, and knowledge of LigTel's network is publicly-available information.

25. I have no ability to "'get into' LigTel's core and reprogram it" as alleged or otherwise insinuated in the Complaint and in the Mead Declaration (January 20, 2020).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 4/1/2020 (date) in the State of California, United States of America.

  
\_\_\_\_\_  
Ronald Mao

# **EXHIBIT 1**

Message

**From:** Rick Harnish [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=6E590531F11C460581D53DA925AD6032-RICK]  
**Sent:** 7/29/2019 7:49:32 PM  
**To:** Ronald Mao [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f7ce60b974854c87898c2e04696d6f14-ronald.mao]; Bo Wei [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1cea1a35a254e3abca50b9b8f9fe821-bo.wei]  
**Subject:** RE: LigTel Meeting Minutes

Thank you Ronald.

I took additional notes that may also assist.

Notes

Cary Mitchell, represents Ligtel for FCC issues along with John Pendergast. Received complaint from Cellular operator in Colorado, about interference from another operator and identified PLMN conflict associated with Baicells. Operator was identified as Future Technologies, a Baicells customer in 3.65 GHz.

IMSI code assigned by IMSI administrator, Telcordia/Iconnectiv. Industry oversight council.

CBRS concern to Ligtel with new operators coming into the market. More confusion. WISPA is supposedly working on a new IMSI code with Iconnectiv. Potentially many operators using 31198. Ligtel wants to know how Baicells is going to resolve this issue.

All customers need to change SIM cards for all CPEs.

1500 customers Ligtel.

They want Baicells to resolve this issue. Baicells is obligated. Remove 31198 code from all websites and marketing materials. Commit to not use 31198 code in the future. Never properly assigned by Iconnectiv. No customers should be using this code. Very firm on this. They realize there is no method for Ligtel to enforce transition and use of this code.

Possible solution, Ligtel gets a new code and transfers all of their customer to new HNI. Baicells pays for all costs involved.

300,000 to change out sims, reprogram equipment  
100,000 customer inconvenience 1 month credit.  
Temporary staff: 50,000 for 2 people  
Inconvenience: transfer, give up code: \$550,000

CPE's vary in age, not really warm to equipment discounts, Bands 1 and 3

Transition time short.

What is reasonable time: 3-6 months.

Respectively,

**Rick Harnish**

**From:** Ronald Mao <ronald.mao@na.baicells.com>  
**Sent:** Monday, July 29, 2019 4:20 PM  
**To:** Bo Wei <bo.wei@na.baicells.com>; Rick Harnish <rick.harnish@na.baicells.com>  
**Subject:** LigTel Meeting Minutes

Monday, July 29, 2019 at LigTel

From Baicells: Bo, Rick, Ronald

From LigTel: Randy Mead, Mike Troup, Josh Wentworth; LigTel's attorneys: Cary Mitchel, John (Dialed-in)

Issue of discussion

An operator in Nebraska is interfering another operator in Colorado (Viaero) which also operates in Nebraska in 3.65GHz band. Viaero found the interfering operator has PLMN ID of 311980 which belongs to LigTel and complained to LigTel. LigTel reached out to the interfering operator and learned that the PLMN is 31198 assigned by Baicells. LigTel believes 31198 was not obtained properly and is in conflict with 311980. LigTel believes at least 14 operators are using 31198 in Indiana alone. LigTel plans cease and desist (C&D) against Baicells.

Demand from LigTel

LigTel wants Baicells to get its own PLMN ID, cease using PLMN ID 31198, so that LigTel will no longer get any complaint that their network is causing interference. In doing so, LigTel wants to see that

1. Baicells base stations will not broadcast 31198
2. Baicells SIM cards, old and new, do not use 31198
3. There is a policing mechanism for LigTel to verify that PLMN ID has been re-programmed and to prevent the use of 31198. One suggestion is for Baicells to send LigTel the operator list.

Option 2

LigTel recognizes that Baicells has 600+ operators and change of PLMN ID takes time and money. Therefore, LigTel offers an alternative solution which is for LigTel to transfer 311980 to Baicells. LigTel will obtain a new PLMN ID and change their 1,500 customers to new ID. However, LigTel wants Baicells to pay the expense and compensate the inconvenience. LigTel asks for \$1M. This is the breakdown

- Engineering \$300k
- Customer compensation \$100k
- Contractors \$50k
- Inconvenience, brand name protection, legal fees \$550k

Baicells counteroffer

Baicells recognizes that the PLMN ID conflict is causing confusion but does not think it is causing RF interference. LigTel may obtain a new ID and leave the old ID unchanged. For customers on the old ID, 31198 becomes a home network ID to roam into. Baicells is willing to pay \$100k and the work for LigTel is kept at minimum.

Comments from LigTel

LigTel does not like the idea of having 2 IDs. Instead, LigTel wants a clean-cut solution. LigTel does agree that the matter should be resolved amicably between the two parties and avoid going into C&D. LigTel also understands that the change of PLMN ID may take 6 months. LigTel will wait for Baicells to come back after Baicells consults with its own legal counsel.

Regards,

Ronald Mao

Director of Carrier Solutions

Baicells Technologies North America

Mobile 858-761-5060

Office 972-930-5537



# **EXHIBIT 2**

Message

**From:** Ronald Mao [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F7CE60B974854C87898C2E04696D6F14-RONALD.MAO]  
**Sent:** 7/11/2019 7:40:58 PM  
**To:** Andy Yang [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=095658fdead141e486f34b31c4e50be0-andy.yang]; Jesse Raasch [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=73af609a0a0c4f19895f52a4fba1cfa6-Jesse]; Bo Wei [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a1cea1a35a254e3abca50b9b8f9fe821-bo.wei]; Boun Senekham [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=0985941c5e584dd68b2d5af0a6d4bc65-boun]; Rick Harnish [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=6e590531f11c460581d53da925ad6032-rick]  
**CC:** Jesse Raasch [jesse@fisci.tech]  
**Subject:** RE: LigTel strategy for PLMN conflict issue.

Hi Andy,

Digging my old notes I recovered these information regarding LigTel. Rick may already have this but I share it here anyway.

My contact was Josh Wentworth who was the network administrator. He can be reached at 260-894-7161.

LigTel has a CDMA network for a long time. I think it was built by Nokia (old Lucent). Huawei was not involved.

In 2011, Huawei helped LigTel build a LTE data overlay in Band 17 (700MHz) on 8 sites. Two years later it was expanded with 4 more sites in Band 4 (AWS). There were 1600 LTE subscribers and they had been running out of capacity persistently.

LigTel also has 3.65MHz coverage using Airspan WiMAX gears. This is where we may be able to offer some free CBRS solution to show our appreciation for them to help us resolve PLMN-ID collision.

Regards,  
Ronald Mao  
Director of Carrier Solutions  
Baicells Technologies North America  
Mobile 858-761-5060  
Office 972-930-5537

-----Original Appointment-----

**From:** Andy Yang <andy.yang@na.baicells.com>  
**Sent:** Thursday, July 11, 2019 9:01 AM  
**To:** Andy Yang; Jesse Raasch; Bo Wei; Boun Senekham; Rick Harnish; Ronald Mao  
**Cc:** Jesse Raasch  
**Subject:** LigTel strategy for PLMN conflict issue.  
**When:** Thursday, July 11, 2019 3:00 PM-4:00 PM (UTC-06:00) Central Time (US & Canada).  
**Where:** <https://bluejeans.com/448672249>

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+1.408.317.9253 (US (Primary, San Jose))

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Meeting ID: 448 672 249

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